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8 Attorneys for the United States of America

9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11 OAKLAND DIVISION

12 UNITED STATES OF AMERICA,

No. 4-06-70440-WDB

13 Plaintiff,

14 v.

15 STIPULATION AND ORDER TO  
RESCHEDULE ARRAIGNMENT  
OR PRELIMINARY HEARING

16 GILBERT POLINA,

17 Defendant.

18  
19 The United States and the defendant, through their undersigned counsel, hereby  
20 stipulate and agree to reschedule the arraignment or preliminary hearing in this case from  
21 September 7, 2006 to October 9, 2006. The parties have agreed upon a resolution of  
22 this case that will result in the misdemeanor tax charge. However, this tax charge  
23 requires the approval of the Tax Division in the Department of Justice, and the  
24 government needs additional time to complete the necessary paperwork and obtain  
25 Department of Justice approval.

26 The defendant agrees to waive time for arraignment or preliminary hearing until  
27 the new hearing date of October 9, 2006, and both parties agree to exclude time in the  
28 interests of justice under the Speedy Trial Act for the period between September 7, 2006

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1 and October 19, 2006, pursuant to the provisions of 18 U.S.C. § 3161(h)(8)(A) and  
2 (B)(iv).


3  
4 Respectfully submitted,

5  
6 Dated: 9/6/06

7   
8 CAMELIA BRAY, ESQ.  
9 Attorney for Gilbert Polina

10 KEVIN V. RYAN  
11 United States Attorney

12 Dated: 9/6/06

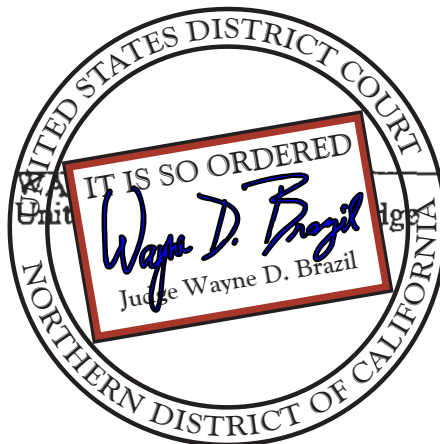
13   
14 GEORGE L. BEVAN JR.  
15 United States Attorney

16 **ORDER RESCHEDULING ARRAIGNMENT or PRELIMINARY HEARING**

17 Upon the foregoing stipulation of the parties, and good cause therefor, IT IS  
18 HEREBY ORDERED that the arraignment or preliminary hearing in this case is  
19 rescheduled from September 7, 2006 to October 19, 2006, at 10:00 a.m., before  
20 Magistrate Judge Wayne D. Brazil in Oakland.

21 The Court finds that time will be excluded for that period, in the interests of  
22 justice, for purposes of the Speedy Trial Act.

23  
24 Dated: September 6, 2006



JOINT APPLICATION TO  
RESCHEDULE SENTENCING DATE